

**NATIONAL ENVIRONMENTAL POLICY ACT
COMPLIANCE RECORD FOR CATEGORICAL EXCLUSIONS (CX)
U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT**

DOI-BLM-AZ-C000-2023-0002-CX

A. Proposed Action

BLM Office: Lake Havasu Field Office

Lease/Serial/Case File No.: N/A

Proposed Action Title: Lincoln Ranch and Loves Camp Wild Burro Nuisance Removal

Applicant: Property owners of Lincoln Ranch and Loves Camp

Location of Proposed Action: Lincoln Ranch, AZ
Within: T10N, R14W, Secs. 14, 15, 23, 22

Loves Camp, AZ
Within: T11N, R13W, Secs. 1, 11, 12

Description of Proposed Action: The BLM proposes to remove 150 nuisance burros within the private lands of Lincoln Ranch and Loves Camp inside the Alamo Herd Management Area (HMA), Mohave / La Paz County, Arizona.

The removal would be conducted in the months of June 2023 through September 2023. Bait trap sites would be located where burros have created nuisance situations. Traps would be located in disturbed areas. Burros would be enticed into a corral constructed with a one-way gate; the animals would enter, and not be able to exit the corral. Since wild burros generally have not acquired a taste for alfalfa hay, it may take time to get them accustomed to hay and panels before initiating a bait trapping operation. Once burros begin to utilize the hay offered, a temporary corral is constructed around the bait site. The bait traps will be temporary, and the area would be reclaimed by removing the corral panels. Trapping operations will begin as soon as possible in June.

Mitigation Measures/Design Features:

1. Actions which result in impacts to archaeological or historical resources shall be subject to the provisions of the Archaeological Resources Protection Act of 1979 as amended (ARPA) and the Federal Land Policy and Management Act of 1976. These statutes protect cultural resources for the benefit of all Americans. No person may excavate, remove, damage, or otherwise alter or deface any historic or prehistoric site, artifact or object of antiquity located on public lands without authorization. Damaging cultural resources more than 100 years of age is a punishable act under ARPA. Criminal and/or civil penalties may result if damage to archaeological resources is documented, as provided under ARPA and its implementing regulations at 43 CFR 7.

2. Personnel shall immediately bring to the attention of the Lake Havasu Field Manager (or designated representative) any cultural resources (prehistoric/historic sites or objects) and/or paleontological resources (fossils) encountered during permitted operations and maintain the integrity of such resources pending subsequent investigation. All permitted operations within 30 meters (100 feet) of the cultural resources shall cease until written authorization to proceed is received from the Authorized Officer.
3. Personnel shall receive a copy of the tortoise handling guidelines (attached) and distribute to all workers the day of the project and advise on handling procedures.
4. In the event hazardous materials are encountered during any activities associated with this, all activity would cease with the hazardous material and a BLM Law Enforcement Ranger would be contacted immediately.

B. Land Use Plan Conformance

Land Use Plan (LUP) Name: Lake Havasu Field Office Resource Management Plan

Date Approved/Amended: May 2007

The proposed action is in conformance with the applicable LUP because it is either specifically provided for, or it is clearly consistent with, the following LUP decision(s):

- HB-1. Viable, color-diverse burro populations will be maintained within the HMA, while maintaining a thriving natural ecological balance with other resources and consistent with other management agencies' objectives (including wildlife, riparian and upland vegetation, recreation, and others).
- HB-2. In accordance with the Wild Free-Roaming Horses and Burros Act, non-BLM administered lands including the Alamo Wildlife Area, will be excluded from HMAs. These lands will be excluded from determinations of Appropriate Management Level (AML) for burros within the HMA. Wild burros that use non-BLM lands as part of their habitat remain protected under the Wild Horse and Burro Act; therefore, any removal actions remain the responsibility of the BLM.
- HB-9. Safety issues will continue to be handled as emergency/nuisance removals, receiving top priority to correct public safety concerns.

Also, Standard Operating Procedures for wild burro removals on page B-47 state:

- All wild burros that are removed are made available for adoption through the Wild Horse and Burro Adoption Program.
- Removal of nuisance burros from private land is required when request in writing from the landowner. Excess wild burros would be removed from HMAs when the population exceeds the Appropriate Management Level (AML) as set by the Herd Management Area Plans.

C. Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with: 516 DM 11.9 (*BLM CXs*) or 43 CFR 46.210 (*DOI CXs*).

D.4 Rangeland Management:

Removal of wild horses or burros from private lands at the request of the landowner.

D. Extraordinary Circumstances Review

In accordance with 43 CFR 46.215, if any of the following circumstances are present, then further NEPA analysis is required unless mitigating measures or other actions can be incorporated into the proposed action to avoid significant effects.

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215(a)-(1)) apply. The project would:			
(a) Have significant impacts on public health or safety.			
Yes	No X	Rationale: The gather would occur within private lands and would not cause public health or safety concerns.	Preparer's Initials CB
(b) Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas. <i>[add additional lines if multiple resource specialists need to provide rationale]</i>			
Yes	No X	Rationale: The gather in private lands will not have significant impacts on such resources because they are not present.	Preparer's Initials CB
(c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].			
Yes	No X	Rationale: The gather is not expected to have environmental effects. All Traps will be located at existing and highly disturbed areas.	Preparer's Initials CB
(d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.			
Yes	No X	Rationale: The gather will not have highly uncertain and potentially significant environmental effects to the general or surrounding areas.	Preparer's Initials CB
(e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.			

Yes	No X	Rationale: The removal of nuisance burros is an authorized action that can be repeated when the proper steps are taken to approve nuisance gathers on private lands.	Preparer's Initials CB
(f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.			
Yes	No X	Rationale: The removal of nuisance burros on private lands will not have direct or cumulatively environmental effects.	Preparer's Initials CB
(g) Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.			
Yes	No X	Rationale: The Private Lands are not listed or eligible for listing on the National Register of Historic Places.	Preparer's Initials CB
(h) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.			
Yes	No X	Rationale: The gather is not expected to have significant impacts on T&E species.	Preparer's Initials CB
(i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.			
Yes	No X	Rationale: This gather will not violate Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment. Gather is occurring on private lands; furthermore, see mitigation measures for this CX.	Preparer's Initials CB
(j) Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).			
Yes	No X	Rationale: This gather will have no affects to low income or minority populations.	Preparer's Initials CB
(k) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).			
Yes	No X	Rationale: This gather will not impede any access to and ceremonial use of Indian sacred sites. Furthermore, this gather is on private lands.	Preparer's Initials CB
(l) Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).			

Yes	No X	Rationale: Gather will occur on retired private farming and mining lands. This gather should not contribute to the spread of noxious weed onto public lands anymore than past actions by the use of those retired farming and mining private lands.	Preparer's Initials ED
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Preparers and Reviewers		
Name:	Resource Program:	Signature/Date:
Chad Benson	Wild Horse and Burro	
Eric Duarte	Rangeland Management	
Ford Mauney	Wildlife Biologist	
Angelica Rose	Planning and Environmental Coordinator	

E. Compliance Review Conclusion

I have reviewed this plan conformance and NEPA compliance record and have determined that the proposed project is in conformance with the approved land use plan and that no further environmental analysis is required.

Approving Official:

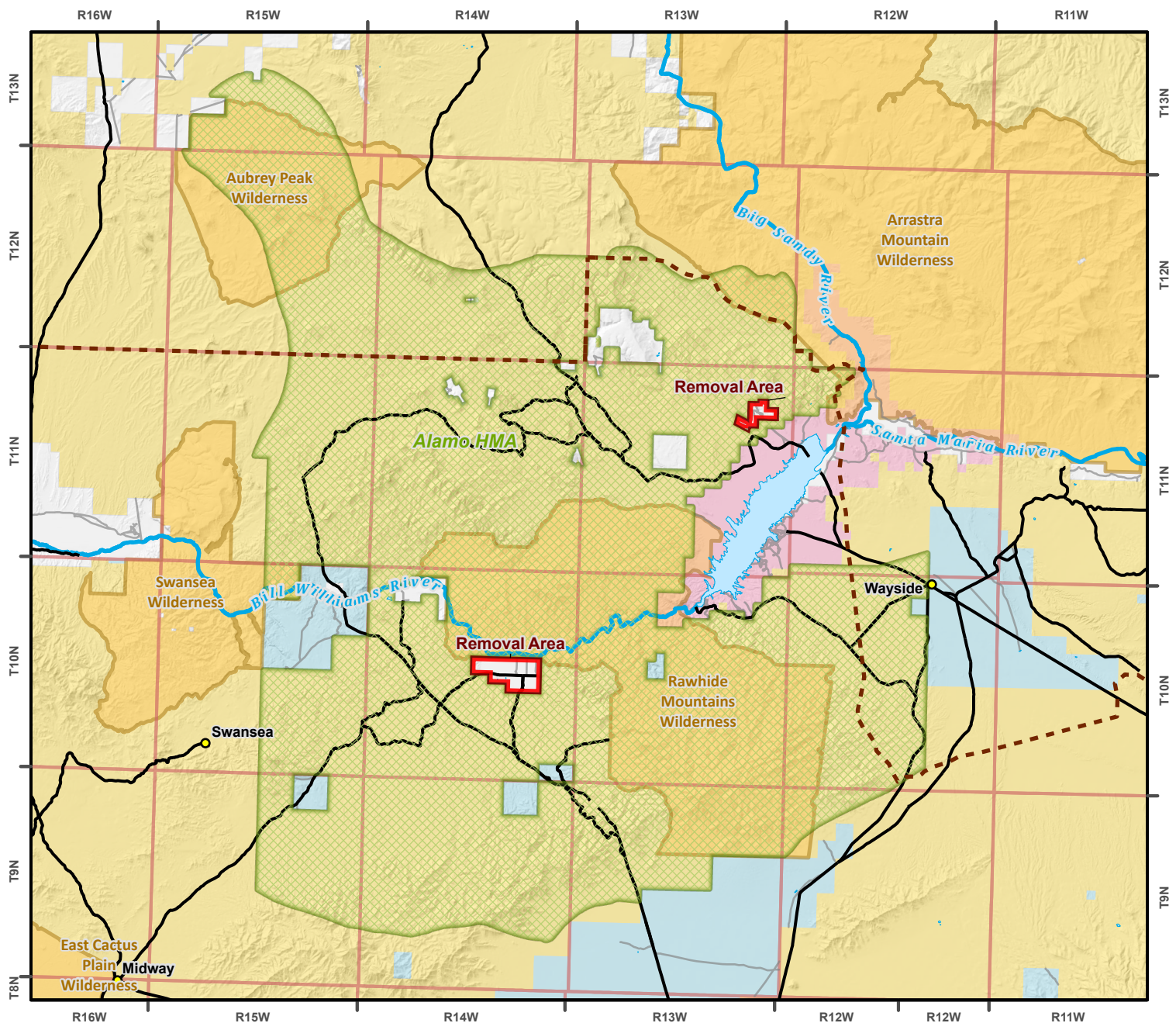
Title: Field Manager, Lake Havasu Field Office

Contact Person

For additional information concerning this CX review, contact Chad Benson, Wild Horse and Burro Specialist, Kingman Field Office, 2755 Mission Blvd, Kingman, AZ 86401, and 928-718-3750.

Note: The signed conclusion on this compliance record is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. A separate decision to implement the action will be prepared in accordance with program specific guidance.

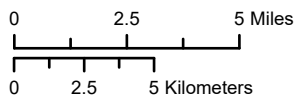
Attachment: Alamo HMA Nuisance Burro Removal Areas Map



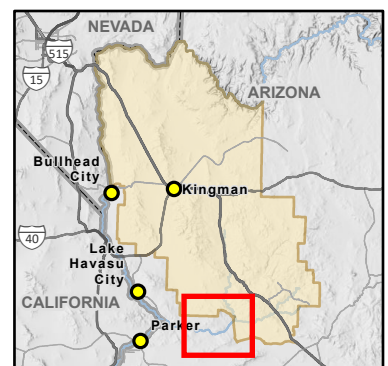
Alamo HMA Nuisance Burro Removal Areas

Colorado River District - Kingman Field Office

- | | | | |
|--|---|--|--|
| Project Boundary | Administrative Units | Wild Horse and Burro | Surface Management Agency |
| Removal Area | ● Town or Place of Interest | Herd Management Area | Bureau of Land Management |
| | --- Field Office Boundary | | Military |
| Transportation | | National Conservation Lands | Private |
| --- County or Major Routes | | Wilderness Area Boundary | State |
| --- Minor Routes | | Federal Land within Wilderness Area | |
| Hydrography | | | |
| --- River | | | |
| Waterbody | | | |
| Cadastral | | | |
| Township / Range | | | |



Map Location within the Kingman Field Office



DISCLAIMER: No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data. Decisions in this document only apply to BLM lands. Routes depicted on non-BLM lands are displayed for information purposes only and do not grant access to non-BLM lands.

Map Produced by BLM Kingman Field Office Staff
 File: 2023_KFO_WHB_SimpleMap
 Date: 5/8/2023
 Map Scale: 1:270,000
 Coordinate System: NAD 1983 UTM Zone 12N
 AZ Reference System: U.S. PLSS GSR
 CA Reference System: U.S. PLSS SBM



U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND
MANAGEMENT



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Lake Havasu Field Office
1785 Kiowa Avenue
Lake Havasu City, Arizona 86403-2847
Phone: (928) 505-1200

DECISION MEMORANDUM

Lincoln Ranch and Loves Camp Wild Burro Nuisance Removal Categorical Exclusion

DOI-BLM-AZ-C000-2023-0002-CX

INTRODUCTION

The BLM proposes to remove 150 nuisance burros within the private lands of Lincoln Ranch and Loves Camp inside the Alamo Herd Management Area (HMA), Mohave / La Paz County, Arizona.

The removal would be conducted in the months of June 2023 through September 2023. Bait trap sites would be located where burros have created nuisance situations. Traps would be located in disturbed areas. Burros would be enticed into a corral constructed with a one-way gate; the animals would enter, and not be able to exit the corral. Since wild burros generally have not acquired a taste for alfalfa hay, it may take time to get them accustomed to hay and panels before initiating a bait trapping operation. Once burros begin to utilize the hay offered, a temporary corral is constructed around the bait site. The bait traps will be temporary, and the area would be reclaimed by removing the corral panels. Trapping operations will begin as soon as possible in June.

DECISION

Based on the analysis of the *Lincoln Ranch and Loves Camp Wild Burro Nuisance Removal* project, described in Categorical Exclusion (CX) # DOI-BLM-AZ-C000-2023-0002-CX, and field office staff recommendations, I have determined that the project is in conformance with the Lake Havasu Resource Management Plan of 2007 and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed with incorporation of the stipulations and mitigation measures attached to the CX document. This decision is effective upon issuance in accordance with Title 43 of the Code of Federal Regulations (CFR) at §4770.3(c).

ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the attached Form 1842-1.

APPROVING OFFICIAL:

Attachment:

Form 1842-1